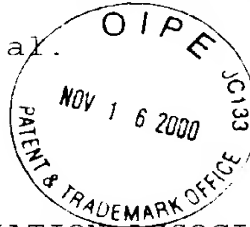


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paul B. Fisher, et al.
Serial No.: 09/515,363
Filed : February 29, 2000
For : MELANOMA DIFFERENTIATION ASSOCIATED GENE-5
(Mda-5), PROMOTER AND USES THEREOF



11/10/2000

1185 Avenue of the Americas
New York, New York 10036
November 14, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the following publications which are listed below and on the accompanying Form PTO-1449 attached hereto as **Exhibit A**. Copies of these publications are attached hereto as **Exhibits B-P** respectively.

1. Fisher, P.B. and S. Grant, *Effects of Interferon On Differentiation Of Normal And Tumor Cells, Pharmacology & Therapeutics*, (1985) **27**(2):143-66 (**Exhibit B**);
2. Hofmann, K., P. Bucher and J. Tschopp, *The CARD Domain: A New Apoptic Signalling Motif*, *Trends Biochem. Sci.*, (1997) **22**(5): 155-6. (**Exhibit C**);
3. Huang, F., et al., *Differentiation Induction Subtraction Hybridization (DISH): A Strategy For Cloning Genes Displaying*

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Filed : February 29, 2000
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Differential Expression During Growth Arrest And Terminal Differentiation, Gene, (1999) 236(1):125-31 (Exhibit D);

4. Huang, F., et al., Identification And Temporal Expression Pattern Of Genes Modulated During Irreversible Growth Arrest And Terminal Differentiation In Human Melanoma Cells, *Oncogene, (1999) 18(23):3546-52 (Exhibit E);*
5. Jiang, H. and P.B. Fisher, Use Of A Sensitive And Efficient Subtraction Hybridization Protocol For The Identification Of Genes Differentially Regulated During The Induction Of Differentiation In Human Melanoma Cells, *Molecular Cellular Differentiation, (1993) 1(3):285-299 (Exhibit F);*
6. Jiang, H., et al., Subtraction Hybridization Identifies A Novel Melanoma Differentiation Associated Gene, mda-7, Modulated During Human Melanoma Differentiation, Growth and Progression, *Oncogene, (1985) 11(12):2477-86 (Exhibit G);*
7. Jiang, H., et al., The Melanoma Differentiation-Associated Gene mda-6, Which Encodes The Cyclin-Dependent Kinase Inhibitor p21, Is Differentially Expressed During Growth, Differentiation And Progression In Human Melanoma Cells, *Oncogene, (1985) 10(9):1855-64 (Exhibit H);*
8. Jiang, H., et al., Gene Expression Changes Associated With Reversible Growth Suppression And The Induction Of Terminal

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Serial No.: 09/515,363
Filed : February 29, 2000
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- Differentiation In Human Melanoma Cells, Molecular Cellular Differentiation*, (1993) **1**(1):41-66 (**Exhibit I**);
9. Jiang, H., S. Waxman and P.B. Fisher, *Regulation Of c-fos, c-jun And jun-B Gene Expression In Human Melanoma Cells Induced To Terminally Differentiate, Molecular Cellular Differentiation*, (1993) **1**(2):197-214 (**Exhibit J**);
10. Jiang, H., et al., *The Melanoma Differentiation Associated Gene mda-7 Suppresses Cancer Cell Growth, Proceedings of the National Academy of Sciences of the United States of America*, (1996) **93**(17):9160-5 (**Exhibit K**);
11. Jiang, H., et al., *The Melanoma Differentiation Associated Gene-6 (mda-6), Which Encodes The Cyclin-Dependent Kinase Inhibitor p21, May Function As A Negative Regulator Of Human Melanoma Growth And Progression, Molecular Cellular Differentiation*, (1996) **4**(1):67-89 (**Exhibit L**);
12. Lin, J. J., H. Jiang and P.B. Fisher, *Melanoma Differentiation Associated Gene-9, mda-9, Is A Human Gamma Interferon Responsive Gene, Gene*, (1988) **207**(2):105-10 (**Exhibit M**);
13. Luking, A., U. Stahl and U. Schmidt, *The Protein Family Of RNA Helicases, Crit. Rev. Biochem. Mol. Biol.*, (1998) **33**(4):259-96 (**Exhibit N**);

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14. Rani, M.R.S., et al. *Characterization Of Beta-R1, A Gene That Is Selectively Induced By Interferon Beta (IFN-beta) Compared With IFN-alpha*, *J. Biol. Chem.*, (1996) **271**(37):22878-84 (**Exhibit O**); and
15. Su, Z.-z., Y. Shi and P.B. Fisher, *Subtraction Hybridization Identifies A Transformation Progression-Associated Gene PEG-3 With Sequence Homology To A Growth Arrest And DNA Damage-Inductible Gene*, *Proc. Natl. Acad. Sci. USA*, (1997) **94**(17):9125-30 (**Exhibit P**).

Applicants request that the Examiner make these publications of record in the subject application.

Applicants maintain that none of the above listed documents which are citable as a reference against the subject application disclose or suggest the invention now being claimed. Applicants attach hereto as **Exhibits B-P** copies of the above-listed references.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone at the number provided below.

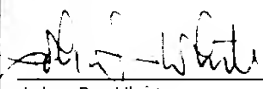
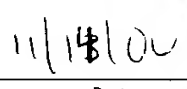
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No fee is deemed necessary in connection with the filing of this Information Disclosure Statement. However, if any fee is required in connection with the filing of this Information Disclosure Statement, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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| I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents Washington, D.C. 20231. | |
|  |  |
| John P. White | Date |
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| Jane M. Love | |
| Reg. No. 42,812 | |